

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

J. P., B. P. and S. P.,

Plaintiffs,

v.

Case No. 6:21-cv-1890-WWB-DCI

ORANGE COUNTY SCHOOL BOARD,

Defendant.

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ORDER

THIS CAUSE is before the Court on Defendant's Motion to Dismiss (Doc. 7).¹ United States Magistrate Judge Daniel C. Irick issued a Report and Recommendation (Doc. 11), in which he recommends that the Motion be granted in part and that the Complaint (Doc. 1) be dismissed with leave to refile.

After a de novo review of the record, and noting that no objections were timely filed, the Court agrees entirely with the analysis in the Report and Recommendation.


Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 11) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Defendant's Motion to Dismiss (Doc. 7) is **GRANTED in part** and the Complaint (Doc. 1) is **DISMISSED without prejudice**. In all other respects, the Motion is **DENIED**.

¹ Defendant's Motion fails to comply with this Court's January 13, 2021 Standing Order. In the interests of justice, the Court will consider the Motion, but the parties are cautioned that future failures to comply with all applicable rules and orders of this Court may result in the striking or denial of filings without notice or leave to refile.

3. On or before **February 7, 2022**, Plaintiffs may file an amended pleading in accordance with the Report and Recommendation and this Order. Failure to timely file may result in the dismissal of this case without further notice.

DONE AND ORDERED in Orlando, Florida on January 25, 2022.



WENDY W. BERGER
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record